

HB0070S01 compared with HB0070

employee, or another person with authority or control over public property from imposing a requirement or restriction on the posting of a political sign on public property if the requirement or restriction is not politically neutral and content neutral.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

20A-17-103, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **20A-17-103** is enacted to read:

20A-17-103. Posting political signs on public property.

(1) As used in this section:

(a) "Local government entity" means:

(i) a county, municipality, or other political subdivision;

(ii) a local district, as defined in Section 17B-1-102;

(iii) a special service district, as defined in Section 17D-1-102;

(iv) a local building authority, as defined in Section 17D-2-102;

(v) a conservation district, as defined in Section 17D-3-102;

(vi) an independent entity, as defined in Section 63E-1-102;

(vii) a public corporation, as defined in Section 63E-1-102;

(viii) a public transit district, organized under Title 17B, Chapter 2a, Part 8, Public

Transit District Act;

(ix) a school district;

(x) a public school, including a charter school or other publicly funded school;

(xi) a state institution of higher education;

(xii) an entity that expends public funds; and

(xiii) each office, agency, or other division of an entity described in Subsections

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(1)(a)(i) through (xii).

(b) "Political sign" means any sign or document that advocates:

(i) the election or defeat of a candidate for public office; or

(ii) the approval or defeat of a ballot proposition.

(c) (i) "Public property" means any real property, building, or structure owned or leased by a local government entity.

(ii) "Public property" does not include any real property, building, or structure during a period of time that the real property, building, or structure is rented out by a government entity to a private party for a meeting, convention, or similar event.

(2) A local government entity, a local government officer, a local government employee, or another person with authority or control over public property that posts or permits a person to post a political sign on public property:

(a) shall permit any other person to post a political sign on the public property, subject to the same requirements and restrictions imposed on all other political signs permitted to be posted on the public property; and

(b) may not impose a requirement or restriction on the posting of a political sign if the requirement or restriction is not politically neutral and content neutral.

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Legislative Review Note

~~as of 10-30-14 2:05 PM~~

~~Office of Legislative Research and General Counsel~~